

26 July 1976

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MEMORANDUM FOR:

SUBJECT:

Suggested Responses to the First Three  
Paragraphs of Bella Abzug's Letter

Pat -

1. Perhaps the following approach could be used to respond to the three paragraphs of Bella's letter relating to our records management policies and the removal of papers from the Agency:

"As you probably are aware, a moratorium on the destruction or transfer of records has been in effect in CIA since 28 January 1975 at the request, initially, of Senators Mansfield and Scott. The moratorium has since been extended. Apart from this moratorium, the CIA adheres to the General Services Administration (GSA) regulations governing records disposition through the mechanism of records control schedules. These schedules, specifying the period of retention for each series of files and authorizing destruction or other disposal action at the expiration of the specified period, are prepared by CIA Records Management Officers and submitted for approval to the National Archives and Records Service (NARS). In compliance with GSA Bulletin FPMR B-62, dated January 22, 1976 (copy enclosed), we presently are updating all of our records control schedules for submission of updated comprehensive schedules to NARS by December 31, 1976.

CIA files and records are transferred to NARS in accordance with the provisions of the Federal Property Management Regulation, paragraph 101-11.411-3 which provides that "such transfers shall be initiated by federal agencies by written request to the General Services Administration, . . . specifying the nature and quantity of the records proposed for transfer." A copy of the exchange of correspondence relating to our most recent transfer to National Archives on 27 June 1976 and a schedule of items transferred are attached. We do not have any other written agreements with NARS for the transfer of papers.

6 Aug 75  
27 June 76

*and reply*

CIA regulations currently provide that "all information, classified or unclassified, received, compiled, or created by the Central Intelligence Agency (except personal copies of unclassified personnel papers) is official data and is the property of the United States Government." \* The regulations do not otherwise recognize a category of records characterized as "personal papers" and make no special provisions for handling such papers. Our regulations also make no provision for the removal from the Agency of documents, copies of documents, or other information, whether by a Presidential appointee or civil servants.

\* ~~As you~~ have observed in your letter of March 26, 1976, The legal basis for the Agency's position stipulating Government ownership of all official data may be tenuous when applied to certain categories of information or documents and the matter now is under study by our Office of General Counsel."

2. The above approach would seem to respond to all of Bella's questions [redacted]

[redacted] At any rate I hope these thoughts will be of help in drafting your final answer to Bella.

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